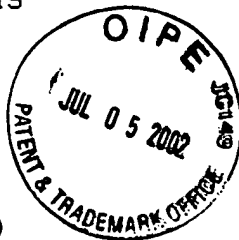
**EXELIXIS™**

June 27, 2002

VIA FACSIMILE 650.838.4350
Confirmation via mail

Peter J. Dehlinger
Perkins Coie LLP
101 Jefferson Drive
Menlo Park, CA 94025-1114

RECEIVED

JUL 11 2002

TECH CENTER 1600/2900

Re: U.S. Patent Application No. 09/811,093
Entitled: Melon Promoters for Expression of Transgenes in Plants
Our Ref: 4257.0025.30
Your Ref: 54257.8025.US00

Dear Peter:

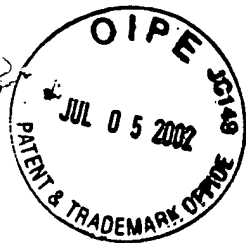
Thank you for your letter of June 12th, which enclosed an Office Action dated 5/8/02 in connection with the above-referenced patent application. In a cost-savings effort, Exelixis Plant Sciences has decided to continue prosecution of this application in-house. We will file a revocation of power of attorney with the Patent Office when we respond to the office action. However, please continue to handle the corresponding PCT application.

Do not hesitate to contact me if you have any questions about this. Thank you for your work on this application.

Sincerely,

Jan P. Brunelle
Patent Attorney

c: Matt Kramer



PERKINS COIE LLP

101 JEFFERSON DRIVE · MENLO PARK, CALIFORNIA 94025-1114
TELEPHONE: 650 838-4300 · FACSIMILE: 650 838-4350

RECEIVED
JUL 11 2002
TECH CENTER 1600/2900

PETER J. DEHLINGER
(650) 838-4401
dehlp@perkinscoie.com

June 28, 2002
Via Federal Express

Jan Brunelle
Exelixis, Inc.
170 Harbor Way
P.O. Box 511
S. San Francisco, CA 94083-0511

Re: U.S. Patent Application No. 09/811,093
for MELON PROMOTERS FOR EXPRESSION OF TRANSGENES IN PLANTS
Our Ref. No.: 54257-8025.US00

Dear Jan:

We are in receipt of a letter dated June 27, 2002 stating your decision for handle further prosecution of the above-referenced patent application in-house.

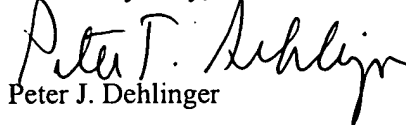
Accordingly, enclosed is the file for your further handling. Also enclosed is a diskette which includes the application, sequence listing and drawings for the application.

Additionally, we have filed a Request for Permission to Withdraw as Attorney under 37 CFR §10.40(c) in the application.

By signing, dating, and returning the copy of this letter, you agree to assume all responsibility for further actions required in this case.

If you have any questions, please contact our offices.

Yours very truly,


Peter J. Dehlinger

PJD/lba
Enc.

Acknowledgement of Receipt:

By: _____ Date: _____